

REMARKS

This submission is in response to the non-final Official Action mailed September 6, 2006. Claims 1-24 are pending. Claims 1-18 stand rejected. Claims 19-24 were objected to as being dependent upon a rejected base claim, but otherwise allowable.

Applicant wishes to thank the Examiner for the indication of allowable subject matter. Claims 19, 21 and 23 have been rewritten in independent form as suggested by the Examiner. Claim 24 has also been amended to correct a typographical error. No narrowing of scope is intended or effected by the amendments. Applicant respectfully submits that these claims should be allowed.

Applicant also wishes to thank the Examiner for the telephonic interview with Applicant's attorney on January 5, 2007. The following constitutes Applicant's written statement in compliance with 37 C.F.R. § 1.133(b) and MPEP § 713.04. The Examiner and Applicant's attorney discussed the rejection of the claims over U.S. Patent No. 3,736,932 to Satchell. Applicant's attorney pointed out to the Examiner that the claims recited "a curved portion" while the Satchell apparatus did not have a curved portion but was straight, and therefore, the claims were patentable over Satchell. The Examiner agreed that Satchell taught only a straight passage. Applicant's attorney and the Examiner discussed claim language making this absolutely clear.

Claims 1, 12 and 15 have been amended to explicitly state that the "passage" in the neck is "curved" and has a "curved axis." Of course, this was implicit in the claims as filed, as the passage was in the "curved portion" of the neck. As the amendments merely make explicit what was already implicit in the claims, no narrowing in claim scope is intended or effected.

Applicant submits that, and as the Examiner indicated agreement, Satchell does not teach or suggest a nozzle tip neck with a curved passage or a curved passage axis. The Satchell apparatus

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is straight, with no curved passage or curved passage axis. Therefore, claims 1-18 are patentable over Satchell and the rejections under 35 U.S.C. § 102 and § 103 should be withdrawn.

The Examiner also stated that claims 1-18 "conflict" with claims in Application Serial Number 10/132,793 and rejected these claims for nonstatutory obviousness-type double patenting over U.S. Patent No. 6,554,803. Applicant submits herewith a terminal disclaimer that addresses the rejection. As all other issues with the application have thus been resolved, the Examiner should allow the application to issue over the '793 application. *See* MPEP § 822.01.

In view of the above amendments, applicant believes the pending application is in condition for allowance, and such action is earnestly solicited.

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Respectfully submitted,

By 

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